

1 GEOFFREY HANSEN  
Acting Federal Public Defender  
2 MANUEL U. ARAUJO  
Assistant Federal Public Defender  
3 160 West Santa Clara Street, Suite 575  
San Jose, CA 95113  
4 Telephone: (408) 291-7753  
5 Counsel for Defendant LINARES-MARTINEZ  
6  
7

8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
11

12 UNITED STATES OF AMERICA,	)	No. CR 11-00420 – EJD
	)	
13 Plaintiff,	)	<b>STIPULATION TO CONTINUE THE</b>
v.	)	<b>SENTENCING HEARING FROM</b>
14	)	<b>JUNE 18, 2012, TO AUGUST 6, 2012;</b>
15 CARLOS LINARES-MARTINEZ,	)	<b>and, [PROPOSED] ORDER.</b>
	)	
16 Defendant.	)	
	)	

17 **STIPULATION**

18 Defendant and the government, through their respective counsel, hereby stipulate,  
19 subject to the Court's approval, that the sentencing hearing currently set for June 18, 2012, be  
20 continued to August 6, 2012. The reasons for the stipulation follow. The A-file in this case is  
21 voluminous. In addition, the defense has provided the United States Probation Officer with  
22 various investigative reports, and a lengthy letter setting forth its views on the case and the  
23 defendant's prior criminal record. An interview in this case is in the defendant's interest.  
24 However, due to scheduling issues and forced cancellation of calendared interview date due to  
25 jail visiting room unavailability, the Probation Officer has not had an opportunity to interview  
26 Mr. Linares. The parties were rescheduled to conduct the interview on May 29, 2012, but

1 because of a jail lock-down, they were not able to conduct the interview. Because of the above  
2 a preliminary presentence report has not been prepared and it is not expected that a report  
3 could reasonably be ready by June 18, 2012. Defense counsel has discussed the continuance  
4 with United States Probation Officer Benjamin Flores, and he has indicated that August 6,  
5 2012, is an acceptable date for the sentencing hearing.

6 Dated: May 29, 2012

7 \_\_\_\_\_/s/\_\_\_\_\_  
MANUEL U. ARAUJO  
Assistant Federal Public Defender

8 Dated: May 29, 2012

9 \_\_\_\_\_/s/\_\_\_\_\_  
CAROLYNE A. SANIN,  
Special, Assistant United States Attorney

10  
11  
12 ~~PROPOSED~~ ORDER  
13

14 WHEREFORE, based on the above, the COURT HEREBY ORDERS that the  
15 sentencing date in the above-captioned case is moved from June 18, 2012 to August 6, 2012.  
16 at 1:30 PM

17 DATED: May 30, 2012

18   
HONORABLE EDWARD J. DAVILA,  
United States District Court Judge